

FILED

MAR 18 2010



Roberto A. Lange
CLERK

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

CENTRAL DIVISION

IMAGINE, LLC,

* CIV 09-3013-RAL

Plaintiff,

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* ORDER GRANTING PLAINTIFF'S
* MOTION TO REMAND TO STATE
* COURT DUE TO LACK OF
* SUBJECT MATTER
* JURISDICTION

vs.
NORMAN H. LESLIE, Individually, and
doing business as LEXSTAR
DEVELOPMENT AND CONSTRUCTION,
ROBERT LESLIE, Individually, and doing
business as LEXSTAR DEVELOPMENT
AND CONSTRUCTION, LEXSTAR
DEVELOPMENT AND CONSTRUCTION
COMPANY, LLC, and PRAIRIE DESIGN
STUDIO, LTD.,

Defendants.

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On March 16, 2010, the Court held a motions hearing at which all parties were represented. For the reasons set forth during the motion hearing and for good cause, it is ORDERED that Plaintiff's Motion to Remand to State Court Due to Lack of Subject Matter Jurisdiction (Doc. 34) is granted. It is further

ORDERED that the Motion to Compel Arbitration (Doc. 24) is moot as the Court lacks subject matter jurisdiction due to a lack of diversity of citizenship under 18 U.S.C. § 1332 or another independent grounds for jurisdiction.

Dated March 18, 2010.

BY THE COURT:

/s/ Roberto A. Lange

ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE